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ABSTRACT

The third of a 17-module self-instructional course on student financial aid administration, this module offers a systematic introduction to the management of federal financial aid programs authorized by Title IV of the Higher Education Act to novice financial aid administrators and other institutional personnel. It teaches the administrator to understand steps taken by Congress in enacting legislation, understand steps taken by the Department of Education in drafting and implementing regulations, read the Federal Register (understand the format used and identify the types of regulations and notices which appear), and distinguish between proposed changes in regulations and those regulations currently in effect. A pre-test, post-test, glossary, and acronyms are provided. Module 3 focuses on the following: (1) the legislative and funding process (introduction of a bill, committee hearings on a bill, reporting on a bill, floor and conference activity, numbering system and effective dates for legislation, cycle of legislative and funding activity, and budget and appropriations) and (2) regulations (how and when regulations are drafted, the regulatory process, and reading and understanding regulations). An appendix offers current regulations for Title IV student assistance programs as of June 1988. Contains four references. (SM)

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# A Self-Instructional Course in Student Financial Aid Administration

An Introduction and Guide to the Administration of Federal Title IV Student Financial Aid Programs

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HE 022183

A Self Instructional Course in Student Financial Aid Administration

United States Department of Education
Office of Student Financial Assistance

# The Legislative & Regulatory Processes

# 3

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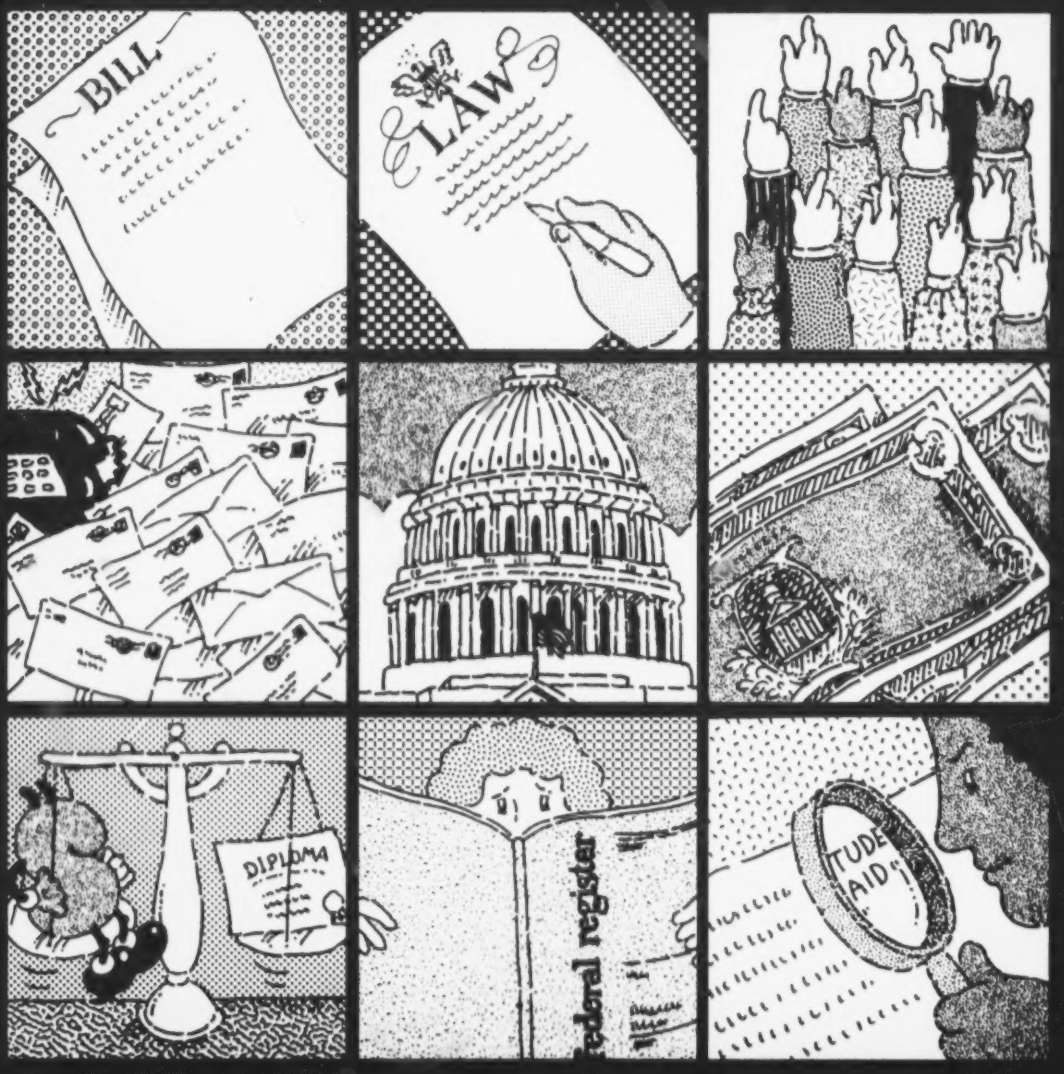


A Self-Instructional Course in Student Financial Aid Administration

United States Department of Education Office of Student Financial Assistance

This publication is one component of *A Self-Instructional Course in Student Financial Aid Administration*. This Second Edition of the course consists of the following modules:

1. Student Financial Aid Administration: Course Study Guide and Introduction to the Field
2. Federal Student Financial Aid: History and Current Sources
3. The Legislative and Regulatory Processes
4. Roles and Responsibilities of the Financial Aid Office
5. Title IV Institutional and Program Eligibility
6. General Student Eligibility
7. Calculating Cost of Attendance
8. Need Analysis
9. Award Packaging
10. The Pell Grant Program
11. The Stafford Loan, SLS, and PLUS Programs
12. Campus-Based Programs: SEOG, CWS, and Perkins Loan
13. Verification
14. Authorization, Fiscal Operations, and Reporting
15. Internal Aid Office Management and Institutional Quality Control
16. Forms and Publications
17. Evaluation of Student Aid Management: Self-Evaluation, Audit, and Program Review

The course includes a Support Booklet with the complete course glossary, acronyms, key resources, bibliography, and index, as well as addresses of publishers mentioned in the course. The Support Booklet also offers guidelines for further study.

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

October 1988

Dear Colleague:

We are pleased to present the Second Edition of A Self-Instructional Course in Student Financial Aid Administration. This updated version of the course originally published in 1986 incorporates provisions of the Higher Education Amendments of 1986, with 1987 Technical Amendments and subsequent amendments.

The purpose of the course remains the same. It is designed to provide neophyte financial aid administrators (those with two years or less experience in student aid) and other institutional personnel with a systematic introduction to management of federal financial aid programs authorized by Title IV of the Higher Education Act. Students of the course will gain a fundamental understanding of the roles and responsibilities of participating institutions and of student aid administrators. On completion of the course, they will be prepared to expand this knowledge with the use of training and reference materials, on-site training opportunities, and contacts with other members of the profession.

The materials were revised under a contract with the Washington Consulting Group. The text was reviewed for technical accuracy by many staff members of the Office of Student Financial Assistance (OSFA). Special acknowledgement is due to both project staff and OSFA specialists for accomplishing very wide-ranging modifications of the text during a period when much legislative and regulatory activity affecting student aid was in progress.

Your comments and suggestions regarding any aspect of the materials are welcome. OSFA is particularly interested in learning 1) the level of experience and job responsibilities of personnel at your institution using the modules; 2) the purposes for which they are being used (for example, self-study, training new staff, reference); and 3) whether you feel that this publication is among those that OSFA should continue to update and disseminate annually. You may send your comments to the Training Branch, OSFA/ED, 400 Maryland Avenue S.W., Washington, D.C. 20202.

Sincerely,

Dewey L. Newman
Deputy Assistant Secretary for
Student Financial Assistance

Daniel R. Lau
Director, Student Financial
Assistance Programs

Enclosure

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# MODULE 3

# THE LEGISLATIVE AND REGULATORY PROCESSES

**The technical information in this module is based on laws, regulations, policies, and procedures in effect as of:**

**August 20, 1988**

This is one component of *A Self-Instructional Course in Student Financial Aid Administration.* This Second Edition of the course has been prepared by The Washington Consulting Group, Inc., under a contract with the U.S. Department of Education.

The course consists of 17 modules and a support booklet. It provides an introduction and guide to the administration of student financial aid programs authorized under Title IV of the Higher Education Act of 1965, as amended. The titles of the modules are listed on the inside front cover of this publication.

Institutions may freely reproduce the course for their own use. For more information on the course, contact one of the Department of Education offices listed on the inside back cover of this publication.

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MODULE 3

THE LEGISLATIVE AND REGULATORY PROCESSES

## ❑ LEARNING OBJECTIVES

After completing this module, you will recognize the steps which occur in enactment of legislation and development of regulations. The roles played by Congress, the executive branch, and the interested public will be outlined, with a focus on the enactment, funding, and regulation of financial aid programs. At the conclusion of this module, you will be able to:

- ✧ understand steps taken by Congress in enacting legislation;
- ✧ understand the steps taken by the Department of Education in drafting and implementing regulations;
- ✧ read the *Federal Register*, understand the format used, and identify the types of regulations and notices which appear; and
- ✧ distinguish between proposed changes in regulations and those regulations which are currently in effect.

## ❑ INTRODUCTION

Our examination in Module 2 of the history of student aid shows that the programs administered in student aid offices are subject to a complex legislative process. These programs are brought into existence by the Congressional passage of legislation. Once enacted as legislation, the programs are funded through the budget and appropriation process that supports all federal spending. Finally, the administering federal agency--in this case the Department of Education--develops regulations that institutions must use to manage these programs.

On the institutional level, you are most familiar with two of the later products of these processes: the tentative and final funding levels for student aid each year, and the regulations that come to your desk in the *Federal Register*. This discussion of the legislative and regulatory processes describes how Congress and the executive branch establish the legal basis for student aid programs, their funding levels, and their regulations.

## PRE-TEST

1. New regulations appear in the *Federal Register* only when Congress passes a law. True or False?

2. What are the starting and ending dates for the financial aid award year and the federal fiscal year?

3. When is the financial aid administrator required to establish administrative procedures to comply with requirements of new legislation? (circle all that apply)

   a. generally within 45 days after final regulations, written as a result of the legislation, are printed in the *Federal Register*
   b. when the Department's regional office notifies the aid administrator, or when the Director, OSFA, sends a "Dear Colleague" letter to the administrator
   c. when the particular provision of law goes into effect as provided by the statute itself
   d. on the date when the law takes effect

4. How often are Title IV financial aid programs reauthorized?

5. "Forward funding" is a term that refers to: (circle all that apply)

   a. the appropriation of Title IV funds prior to the award year in which they will be disbursed
   b. a 5-year allocation of Title IV funds given to institutions by ED for current and future year student aid awards
   c. the institution's transfer of student aid funds from the current award year to the upcoming award year
   d. the appropriation process in effect for all Title IV programs except the Stafford Loan program

6. The primary opportunity for the professional student aid community and general public to influence both legislative activity and regulatory development is when Congressional committee hearings are held. True or False?

7. An authorization bill is the final congressional step in funding a program. True or False?

## ANSWERS

1. False. (3.8)*

2. Award year: July 1 to June 30.
   Federal fiscal year (FY): October 1 to September 30 (for example, FY89 is October 1, 1988 to September 30, 1989). (3.7)

3. a., c., and d. (3.5)

4. Reauthorization occurs every 4 to 5 years. (3.6)

5. a. and d. (3.7)

6. False. (3.2, 3.8, 3.9)

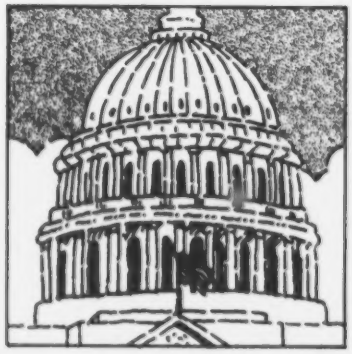
7. False. (3.7)

*For quick access to information on this question, see this section.

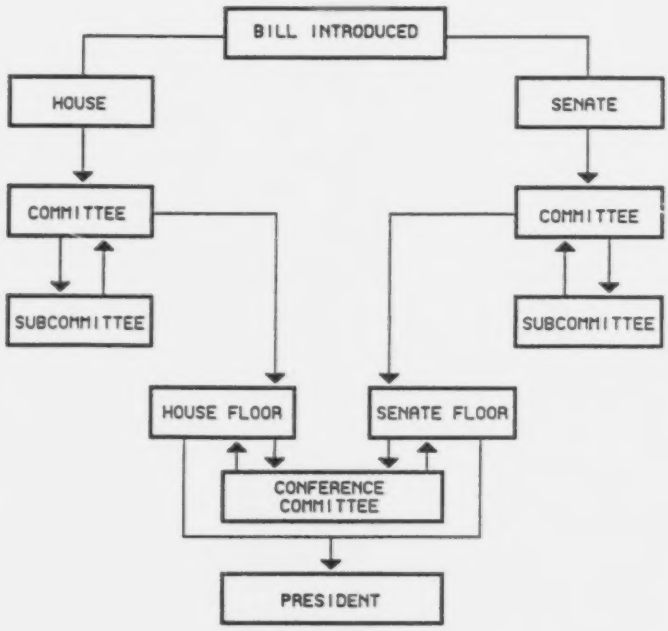
Questions: 7 Your Score: Percentage:

## THE LEGISLATIVE AND FUNDING PROCESS

### 3.1 INTRODUCTION OF A BILL



The legal basis of each federal student aid program is legislation enacted by Congress. Through the legislative process, Congress delegates to the executive branch of government--in this case to the Department of Education--the legal authority to administer the aid programs. It is in the Congress that specific proposals are considered and, if given enough political support, become law. A successful bill proceeds through the House of Representatives and the Senate as follows:




*The Legislative Process*

Our flow chart shows that a legislative proposal takes shape as a bill and may be introduced either in the House of Representatives or the Senate, or in both. An elected member (and no one else) has the right to introduce a bill to the "house" or legislative chamber to which he or she

An idea becomes a bill.

is elected. Depending upon the house in which it originates, each bill is designated as HR (House of Representatives) or S (Senate) with a unique number given in sequence of introduction. Public Bills, such as those for student financial assistance, deal with public issues, and, if signed by the President, become Public Laws.

*Example: Pub. L. 99-498 is the Public Law identifier for the Higher Education Amendments of 1986.*

## 3.2 COMMITTEE HEARINGS ON A BILL

Once a bill is introduced, it is referred to the appropriate committee or subcommittee for review. For higher education bills, these include:

- ✧ Senate Committee on Labor and Human Resources
  - Subcommittee on Education, Arts, and Humanities
- ✧ House Committee on Education and Labor
  - Subcommittee on Postsecondary Education

The responsible committee (for example, the Senate Subcommittee on Education, Arts, and Humanities) may hold hearings on the proposed legislation. Witnesses, such as Department of Education officials, institutional representatives, student aid recipients, and spokespersons from educational associations, may testify before the committee on the impact of proposed legislation and make recommendations. This is an important forum where aid administrators, either as representatives of their institutions or members of professional associations, can influence the formation of legislation.

## 3.3 REPORTING OUT A BILL

Once the committee has heard and reviewed testimony, it may substantially rewrite the bill, or draft an entirely new one, in a process called "mark-up." A majority vote of a subcommittee, if there is one, and the full committee leads to "reporting out" the bill for eventual action by the entire House or Senate. This report includes the text of the bill and a description of committee findings and

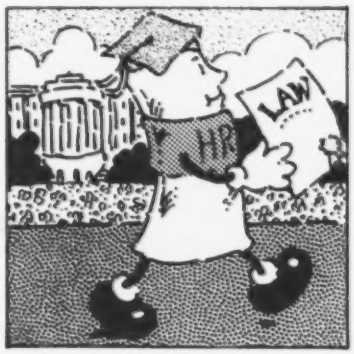
Subcommittee hearings

intentions. Before any such action, however, the bill must get a "rule" from the chamber's Rules Committee setting forth the terms and schedule of debate.

## 3.4 FLOOR AND CONFERENCE ACTIVITY

Once the bill has been reported out, activity in the full House and Senate includes debate, possible amendment, and a vote. Similar bills with differing provisions are often approved by the House and Senate. When this occurs, the bills are referred to a conference committee made up of members of both houses which is assigned to reconcile the differences. The reconciled bill is returned to the House and Senate for final vote, forwarded to the President for signature, and then becomes a law in one of three ways:

- ✧ by the signature of the President;
- ✧ by inaction of the President under certain conditions; or
- ✧ by a Congressional vote (two-thirds of each house) to override a Presidential veto.

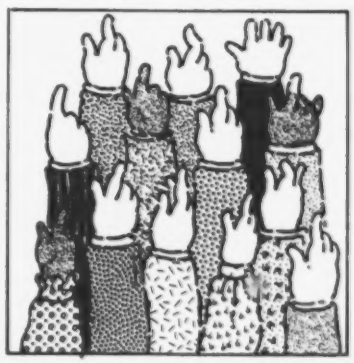



A bill becomes a Public Law.

## 3.5 NUMBERING SYSTEM AND EFFECTIVE DATES FOR LEGISLATION

Now let's examine how that law would be designated in the body of public law. Most of the federal student assistance legislation administered by the Department of Education is found in Title IV of the Higher Education Act of 1965 (Pub. L. 89-329), as amended. A Public Law is represented as a two-part number:

*Pub. L. 89*-329***



*89--the 89th Congress (January 1965 to December 1966)

**329--the 329th law passed by the 89th Congress.

The legislation then enters the U.S. Code, a compendium of all federal laws in effect. The law becomes effective either when the President signs it or upon a specific date stated in the law. In some cases, the law directs the Secretary of Education to draft regulations for specific provisions contained in the law. Under these circumstances, financial aid administrators are generally required to comply with these regulated aspects of the

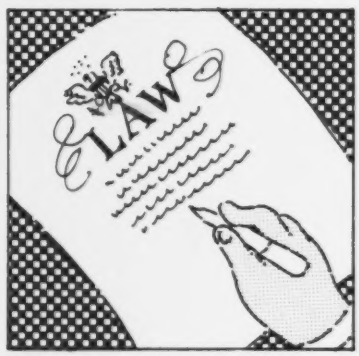
law 45 days following the publication of final regulations in the *Federal Register*.

Education laws are found in Chapter 20 of the U.S. Code.

## 3.6 THE CYCLE OF LEGISLATIVE AND FUNDING ACTIVITY

Federal programs are considered for reauthorization every few years; authorizing laws may be amended at any time. Money for most of the programs is appropriated on an annual basis. Each chamber has several authorizing committees handling legislation on a group of related topics and one appropriations committee. Each chamber's appropriations committees reviews a total appropriations package for a given fiscal year and refers recommendations for consideration by the full House or Senate.

The idea that became a bill is now a law, or a reauthorized law. With rare exceptions, federal program authorizations are not permanent, and either they are extended (with changes likely to occur) or they expire. When an existing law is reexamined and renewed with possible amendments, the process is called reauthorization. Historically, Title IV legislation has been reauthorized every 4 or 5 years.




## 3.7 BUDGET AND APPROPRIATIONS

The budget process goes on year-round. This is because there is a cycle or order of development which must be followed in each fiscal year.

*Budget requests* are prepared well in advance of the upcoming fiscal year. For example, the FY88 budget request was prepared from May through December 1986, and was submitted to Congress at the beginning of 1987. The federal government's fiscal year begins October 1 and ends September 30.

The budget is developed in two phases--the First and Second Budget Resolutions.

The President submits a budget to Congress 15 days after Congress convenes in January. Congressional Budget Committees begin to produce a set of spending targets called the *First Budget Resolution*. Through March and April, budget and authorizing committees hold hearings and examine the President's budget, review spending projections submitted by other committees, and review Congressional Budget Office (C.B.O.) reports. By April 15, the First Budget Resolution is reported to Congress. Dollar amounts for specific programs projected during this phase of the process are nonbinding.

As the Congress finishes work on the First Budget Resolution on May 15, Congressional committees begin to

report out *authorization bills* for new legislation or reauthorizations. An authorization bill enacts a particular program into law, specifies its goals, and sets spending ceilings for financing it.

Mid-May through August finds Congress passing *appropriation bills* based on those authorization bills and preparing the Second Budget Resolution. Appropriation bills grant actual monies for programs, but not necessarily as much as the spending ceiling set by the authorization bill. Congress works to enact all general appropriation bills before the Labor Day recess in preparation for the new fiscal year beginning October 1.

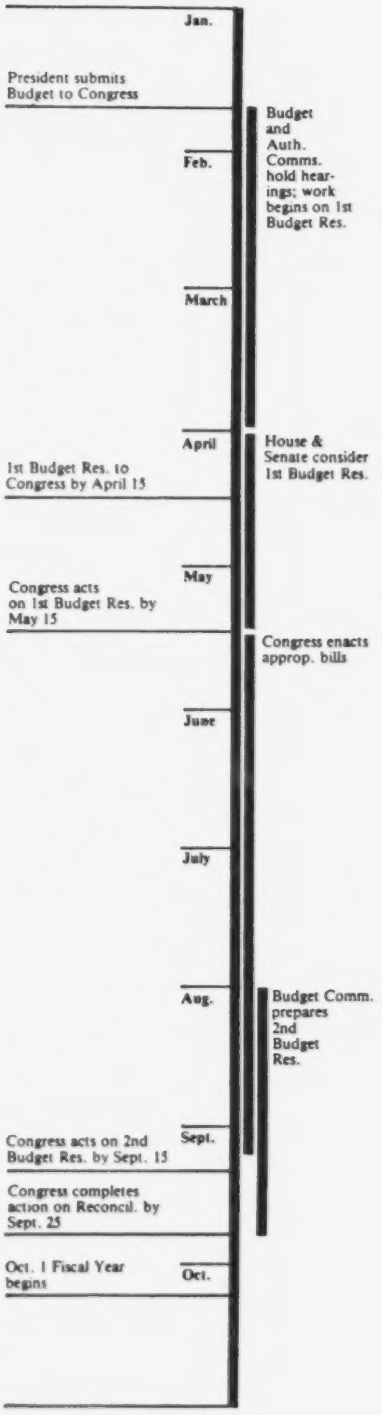
The *Second Budget Resolution* is developed with an eye on the First Budget Resolution, C.B.O. cost analysis, and expected federal revenues. The Second Budget Resolution is the final version of the budget--the bottom line that everyone must live with. If the House and Senate approve two different versions of the budget, a reconciliation bill or resolution is necessary. Under these circumstances, Congress may not adjourn until it completes action on the Second Budget Resolution and any required reconciliation measures.

The budget and appropriation process, as we've just described it, seems orderly and free of surprises. There are, however, some wrinkles in the process that you should be aware of:

- ✧ *Continuing* appropriation bills and continuing resolutions may be necessary if Congress does not enact all general appropriation bills before the start of the October 1 fiscal year. These continuing bills and resolutions enable the government to continue to operate financially.

- ✧ *Supplemental* appropriation bills may sometimes be passed later in the fiscal year if regular appropriations are not sufficient to meet expenses. Supplemental appropriations may also add money to an existing authority for a specific purpose, or fund a new authority.

- ✧ *Sequestration* orders occur when appropriations exceed budget targets established by the Gramm-Rudman-Hollings Deficit Reduction Act of 1985. When this happens, automatic across-the-board cuts are made to federal appropriations for the new fiscal year. If Congress subsequently passes a budget which is under the G-R-H deficit reduction targets,


Jan.
President submits Budget to Congress
Budget and Auth. Comms. hold hearings; work begins on 1st Budget Res.
Feb.
March
April
House & Senate consider 1st Budget Res.
1st Budget Res. to Congress by April 15
May
Congress acts on 1st Budget Res. by May 15
Congress enacts approp. bills
June
July
Aug.
Budget Comm. prepares 2nd Budget Res.
Sept.
Congress acts on 2nd Budget Res. by Sept. 15
Congress completes action on Reconcil. by Sept. 25
Oct. 1 Fiscal Year begins
Oct.

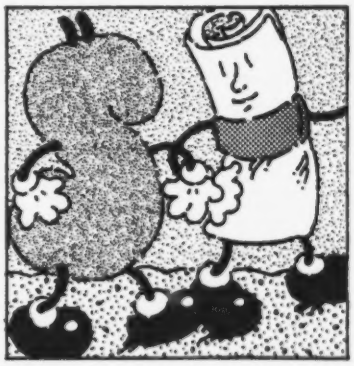
it can go back and restore the amounts that were cut when the sequestration order took effect.

Sequestration orders have an immediate impact on the Stafford Loan program by raising the loan origination fee charged to students and lowering the special allowance paid to lenders. The impact of sequestration on other Title IV programs is less immediate because of forward funding.

- *Rescission* bills can result in the cancellation of funds for programs or program areas for which funds were previously appropriated.

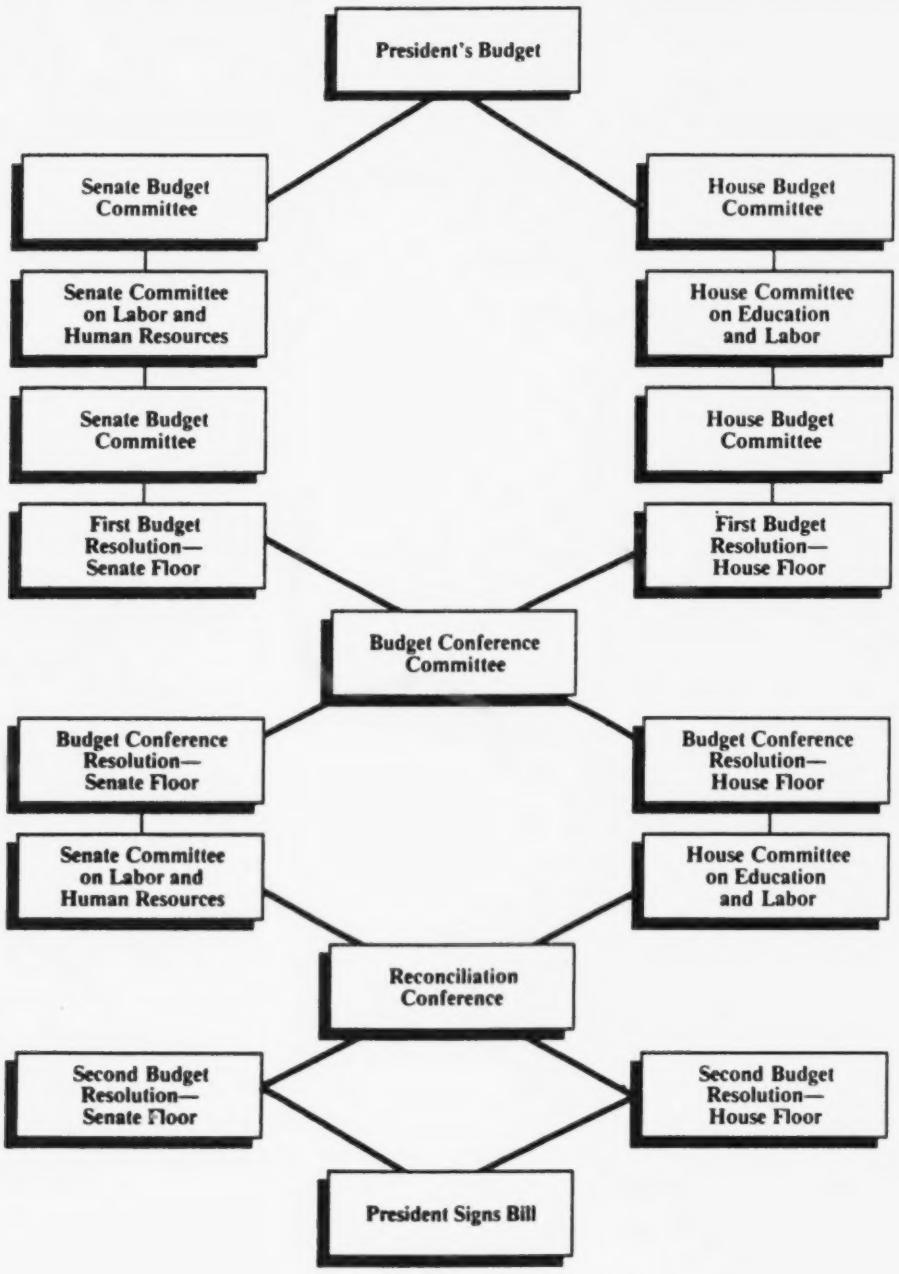
Finally, before leaving this discussion, we should relate it in a general way to your aid office operation. The federal government works on an October 1 to September 30 fiscal year calendar, but the financial aid award year is July 1 to June 30. The two years are not concurrent. At many schools, financial aid application processing begins in the winter prior to the award year for students who are applying for aid. Institutions need to know the amount of federal student aid dollars they can expect to have in the coming award year in order to prepare aid award packages for applicants. The appropriation process accommodates the planning and operating requirements of educational institutions by "forward funding" all of the Title IV programs except the Stafford Loan program.

- The *award year* runs from July 1 to June 30.
- The *federal fiscal year* runs from October 1 to September 30.



As an example of forward funding, Title IV (except Stafford Loan) funds were appropriated in the fall of 1987, to be included in the 1988 fiscal year budget. (FY88 runs from October 1, 1987, to September 30, 1988.) The funds could not be used for student aid (disbursed) until July 1, 1988, the start of the 1988-89 award year.

## Budget Process


President's Budget
Senate Budget Committee
House Budget Committee
Senate Committee on Labor and Human Resources
House Committee on Education and Labor
Senate Budget Committee
House Budget Committee
First Budget Resolution—Senate Floor
First Budget Resolution—House Floor
Budget Conference Committee
Budget Conference Resolution—Senate Floor
Budget Conference Resolution—House Floor
Senate Committee on Labor and Human Resources
House Committee on Education and Labor
Reconciliation Conference
Second Budget Resolution—Senate Floor
Second Budget Resolution—House Floor
President Signs Bill

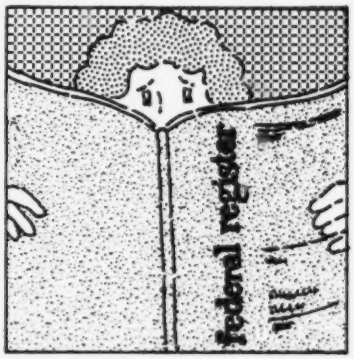
## 3.8 HOW AND WHEN REGULATIONS ARE DRAFTED

Rules for student aid program administration reach your office in the form of regulations. *Regulations have the effect of law.*

The Department of Education (ED) produces regulations in response to three situations:

- ✧ new or reauthorized legislation;
- ✧ changes in departmental policy; or
- ✧ administrative problem areas that require new or changed regulations.

The Secretary of Education publishes proposed regulations, final regulations, and notices in a government publication called the *Federal Register*. Reprints of pertinent regulations and notices are mailed to all institutions participating in Title IV programs. In the *Federal Register*, you will find the following categories of publications:




✦ **Notice of Proposed Rulemaking (NPRM):** An NPRM informs the student aid community and the general public of proposed regulations. It includes background information, the effect of any proposed changes on current regulations, and the address and closing (due) date for receiving comments from the public. Note that NPRMs are only *proposed* rules.

✦ **Final Regulations:** ED produces final regulations, with an effective date, after reviewing public comments on the NPRM or Interim Final Regulations. The comments received from the public are summarized. (In some cases, final regulations are not preceded by an NPRM when the statute gives specific instructions to be followed by ED and institutions.)

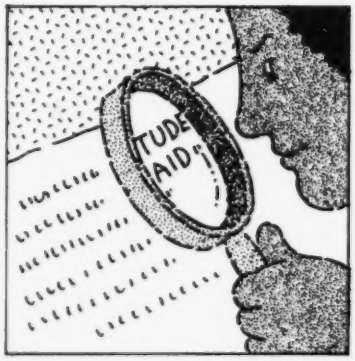
✦ **Interim Final Regulations:** Interim Final Regulations are published in the *Federal Register* and have the effect of law. In general, an Interim Final Regulation is published in two situations:

- ✧ Interim Final Regulations may be published when there is need for quick action in response to passage of new legislation. The Interim Final may include an invitation for comments. It will usually be followed by Revised Final regulations, which might differ from the Interim Final.

- ✧ The many comments received on an NPRM may require major policy decisions, but the Secretary may need to publish regulations on the topic to guide program activities until the policy decisions are made. In this case, an Interim Final will be published, and a second round of comments solicited.

✦ **Non-Regulatory Notices:** The Secretary publishes several non-regulatory notices each year. These include FISAP deadlines, Pell Grant deadlines, and the Stafford Loan program quarterly special allowance.

## 3.9 THE REGULATORY PROCESS




Student aid-related regulations are usually published first as a Notice of Proposed Rulemaking (NPRM). A comment period is specified for public response; it is usually a 45- or 60-day period, but may range from 30 to 120 days. After the comment period, final regulations are published and become effective usually following a 45-day period, prescribed by law, from the date of publication in the *Federal Register*.

The *master calendar* specified by the Higher Education Amendments of 1986 requires major regulations to be published in final form by December 1 in order to be effective for the upcoming award year. The purpose of this provision is to give institutions sufficient time to adjust to new regulatory changes.

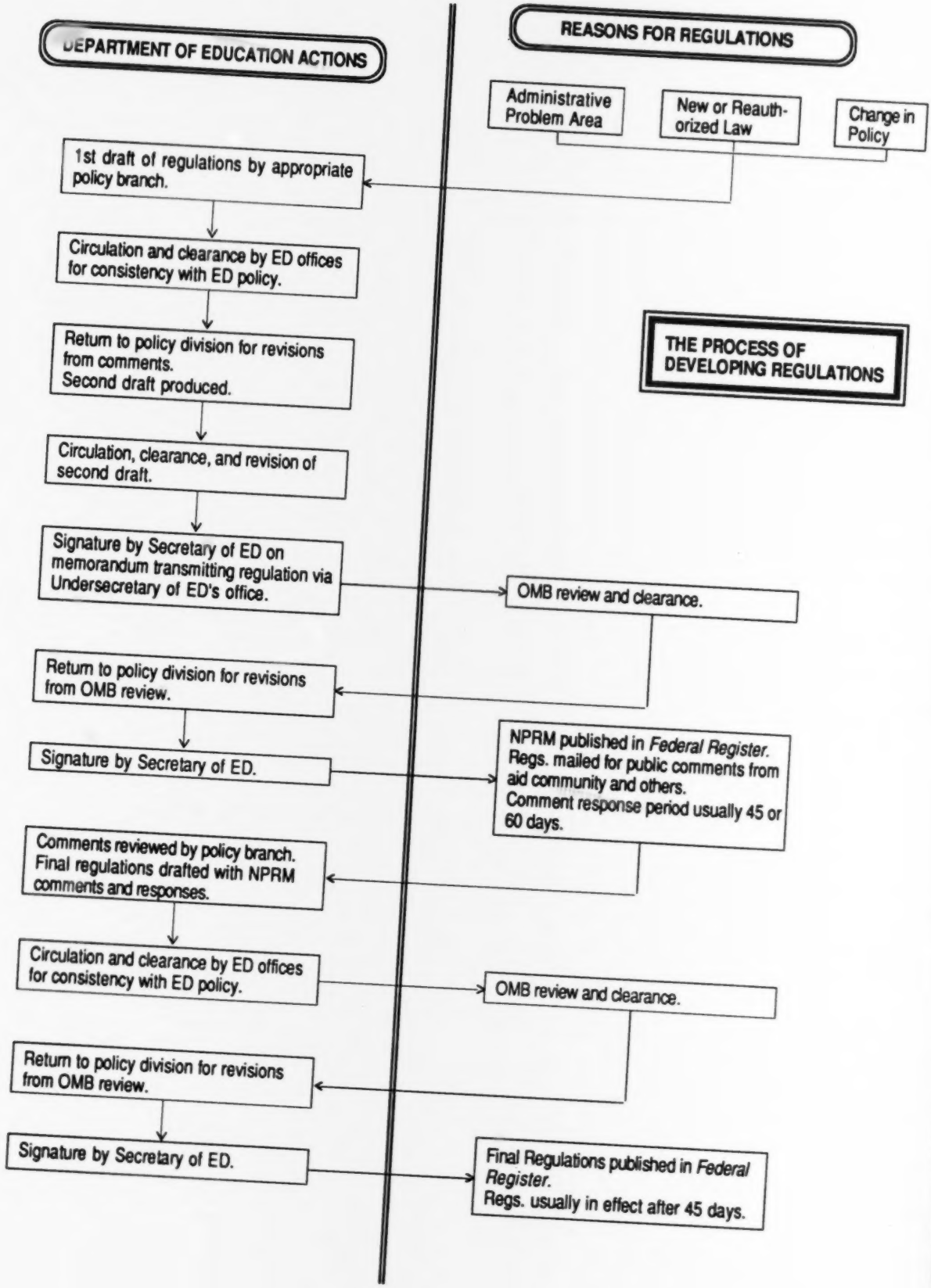
As the chart on page 11 indicates, regulations may be initiated by the Department of Education in response to various circumstances: problem areas which call for new regulations, the passage of new legislation or reauthorization of existing laws, and changes in policy. The appropriate program branch of ED's Division of Policy and Program Development within OSFA/ED is responsible for drafting and revising both the proposed rules and the final regulations. For example, the Campus-Based Branch is the branch responsible for drafting and revising regulations for the campus-based programs.

The process requires circulation and clearance of regulations by various offices within the Department. In addition, the Office of Management and Budget reviews regulations from all government agencies for the following:

- ✧ overall federal policy;
- ✧ budget implications;
- ✧ potential paperwork burden; and
- ✧ cost to the service population (in this case, institutions of postsecondary education, lenders, guarantee agencies, students, and parents).

Another important review, however, is *your* review and comments on proposed regulations during the comment period, when ED requests comments on all proposed regulations. This period allows you to determine the impact of the proposed regulations on your institution and your students. In many instances, an institutional administrator may foresee administrative and other problems that might arise if regulations were implemented as first proposed.

Through this process you can help shape the final regulations you will later have to implement. A summary of the comments received and the Secretary of Education's responses to them is published in the final regulations. Any changes resulting from comments are noted and incorporated in the final regulations. In addition, if the Secretary does not make changes for the final regulations as recommended in the comments, the Secretary will explain why.


DEPARTMENT OF EDUCATION ACTIONS
REASONS FOR REGULATIONS
Administrative Problem Area
New or Reauth-orized Law
Change in Policy
1st draft of regulations by appropriate policy branch.
Circulation and clearance by ED offices for consistency with ED policy.
Return to policy division for revisions from comments.
Second draft produced.
Circulation, clearance, and revision of second draft.
Signature by Secretary of ED on memorandum transmitting regulation via Undersecretary of ED's office.
OMB review and clearance.
Return to policy division for revisions from OMB review.
Signature by Secretary of ED.
NPRM published in Federal Register.
Regs. mailed for public comments from aid community and others.
Comment response period usually 45 or 60 days.
Comments reviewed by policy branch.
Final regulations drafted with NPRM comments and responses.
Circulation and clearance by ED offices for consistency with ED policy.
OMB review and clearance.
Return to policy division for revisions from OMB review.
Signature by Secretary of ED.
Final Regulations published in Federal Register.
Regs. usually in effect after 45 days.

## THE PROCESS OF DEVELOPING REGULATIONS

## 3.10 READING AND UNDERSTANDING REGULATIONS

Regulations published in the *Federal Register* are important documents in any financial aid office and fiscal office. *You should keep all copies of the Title IV regulation reprints of the **Federal Register** for reference and audit purposes.*

The federal education regulations are designated as Title 34 of the Code of Federal Regulations, or 34 CFR. New final regulations supplement, amend, or replace earlier final regulations. Some notices are required by law to be published annually.

One of the major challenges in reading and understanding regulations is the format used in the *Federal Register*. However, it becomes easier to read and understand the critical information contained in the regulations when you are familiar with the orderly, prescribed format that all federal agencies use in publishing regulations.

Let us review the attached reprints of excerpts from student assistance regulations which illustrate this format.

Several features distinguish different types of regulations from each other. A notice of proposed rulemaking will include the time period for public comment and tell where (to whom) to send comments. Final regulations will state the effective date of the regulations, and will summarize comments received from the public and the Department's response.

Friday
July 26, 1985

Part VII

**Department of Education**

34 CFR Part 668
Student Assistance General Provisions;
Notice of Proposed Rulemaking

DEPARTMENT OF EDUCATION

34 CFR Part 668

**Student Assistance General Provisions**

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Secretary proposes to amend the Student Assistance General Provisions Regulations to implement in the 1986–87 award year an integrated system for the verification of information reported by students, their spouses, and their parents when the students apply to have their expected family contribution calculated for the Pell Grant Program, campus-based programs (National Direct Student Loan [NDSL], College Work-Study [CWS], Supplemental Educational Opportunity Grant [SEOG]), and Guaranteed Student Loan (GSL) Program. The Secretary is proposing these regulations, in part, to respond to the severe and persistent problem, identified in recent quality control studies, of high error rates in data reported by applicants in the Pell Grant Program. The same data are used in the other programs covered by these proposed regulations. The Secretary, therefore, intends that the integrated verification system assure, to the maximum extent possible, that eligible applicants receive the correct amount of student financial assistance.

**DATE:** Comments must be received on or before September 24, 1985.

**ADDRESS:** All comments concerning these proposed regulations should be addressed to Mr. Fred Sellers, Office of Student Financial Assistance, U.S. Department of Education, Room 4318, Regional Office Building 3, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

A copy of any comments that concern information collection requirements should also be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble.

**FOR FURTHER INFORMATION CONTACT:** Fred Sellers (202) 472–4300.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under the Pell Grant, GSL, and campus-based programs, an applicant receives financial assistance, including interest benefits under the GSL Program, if the applicant has financial need for such assistance. In general, financial need is defined as the difference between the applicant's cost of attendance and expected family contribution (EFC).

* * * * *

Format of a Proposed Regulation (NPRM)*

A. Title of the regulation

B. Agency issuing the regulation

C. Status in the regulatory process

D. Summary statement of the purpose of the regulation

E. Due date for public comments. May also include dates for public hearings if they are to be held (Proposed Regulations).

F. Address for comments

G. Individual and telephone number for further information

H. Contains background information on the regulations. May summarize the major issues in the regulations and reference other regulations.

*Note: This NPRM was superseded by final regulations published on March 14, 1986--see the second excerpt from the *Federal Register* (later in this module). New verification regulations which apply to the 1988-89 Award Year were published in 34 CFR 484 on May 19, 1987.

* * * * *

**Recovery of Funds (§ 668.61)**

If an institution chooses to make a disbursement before the verification process is complete, it is liable for any overpayments. The Secretary proposes to require an institution to make a reasonable effort to recover any funds to which an applicant is not entitled either by making adjustments to subsequent disbursements in the award year or by requiring applicants to return these funds if the institution cannot make corrections later in the award year. In the latter case, if the institution is unable to recover Pell Grant, NDSL, or SEOG funds after making a reasonable effort, the institution must reimburse the appropriate program account.

The Secretary proposes that if after verifying the applicant's information for an award year, an institution determines that an applicant previously received a GSL of $200 or more in excess of the applicant's financial need for that award year, the institution must notify the lender of the change in the suggested loan amount and return any GSL check in its possession. The Secretary is publishing separately in proposed regulations for the GSL Program a description of those actions that the lender takes once notified by an institution of a change in a borrower's eligibility for a GSL.

**Executive Order 12291** ← (I)

These proposed regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the Order.

(J) ↵ **Regulatory Flexibility Act Certification**

The Secretary certifies that these proposed regulations will not have a significant economic impact on a substantial number of small entities. Small entities affected by these regulations are small institutions of higher education. Under these proposed regulations, all institutions of higher education shall require selected applicants to verify student aid application information. All institutions, including small institutions which participate in the Pell Grant Program, already verify applicant information under the Pell validation system.

Regulations must contain statements regarding:

I. Executive Order 12291 stating whether regulations are classified as major regulations requiring an impact analysis.

J. Regulatory analysis of economic impact on small entities or statement that analysis is not required under the Regulatory Flexibility Act.

**Invitation To Comment** (K)

Interested persons are invited to submit comments and recommendations regarding these proposed regulations. All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in Regional Office Building 3, Room 4318, 7th and D Streets, S.W., Washington, D.C., between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

To assist the Department in complying with the specific requirements of Executive Order 12291 and the Paperwork Reduction Act of 1980 and their overall requirement of reducing regulatory burden, public comment is invited on whether there may be further opportunities to reduce any regulatory burdens found in these proposed regulations. (L)

**Paperwork Reduction Act of 1980**

Sections 668.53, 668.54, 668.55, 668.56 and 668.57 contain information collection requirements. As required by section 3504(h) of the Paperwork Reduction Act of 1980, the Department of Education will submit a copy of these proposed regulations to the Office of Management and Budget (OMB) for its review. Organizations and individuals desiring to submit comments on the information collection requirements should direct them to the Office of Information and Regulatory Affairs, OMB, Room 3002, New Executive Office Building, Washington, D.C. 20503; Attention: Joseph F. Lackey, Jr.

All comments regarding these proposed regulations should be sent to the Department of Education at the address given at the beginning of this preamble.

**Assessment of Educational Impact**

The Secretary particularly requests comments on whether the regulations in this document would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

**List of Subjects in 34 CFR Part 668**

Administrative practice and procedure, Colleges and universities, Consumer protection, Education loan programs—education, Grant programs—education, Student aid.

**Citation of Legal Authority**

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these proposed regulations.

If it is an NPRM, the notice will contain:

K. An invitation to the public to submit comments and recommendations.

Regulations must contain statements regarding:

L. Analysis of potential paperwork burden under the Paperwork Reduction Act of 1980 (see also previous page).

(Catalog of Federal Domestic Assistance: No. 84.007, Supplemental Educational Opportunity Grants: No. 84.032, Higher Education Act Insured Loans (Guaranteed Student Loans): No. 84.033, College Work-Study Program: No. 84.038, National Direct Student Loans: and No. 84.063, Pell Grant Program)

Dated: July 24, 1985.

**William J. Bennett,**

*Secretary of Education.*

The Secretary proposes to amend Part 668 of Title 34 of the Code of Federal Regulations as follows:

(M)

## PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS

1. The authority citation for Part 668 continues to read as follows:

Authority: 20 U.S.C. 1094.

2. The table of contents of Part 668 is amended by adding a new Subpart E to read as follows:

**Subpart E—Verification of Student Aid Application Information**

Sec.
668.51 General.
668.52 Definitions.
668.53 Policies and procedures.
668.54 Selection of applicants for verification.
668.55 Responsibilities of applicants for updating information.
668.56 Items to be verified.
668.57 Acceptable documentation.
668.58 Interim disbursements.
668.59 Consequences of an inaccurate application.
668.60 Consequences of the failure to provide documentation.
668.61 Recovery of funds.

3. Part 668 is amended by adding a new Subpart E to read as follows:

(N)

**Subpart E—Verification of Student Aid Application Information**

(O)

**§ 668.51 General.**

(a) *Scope and purpose.* (1) The regulations in this subpart govern the verification by institutions of information submitted by applicants in connection with the calculation of their expected family contributions (EFC) for the Pell Grant, the campus-based, and the Guaranteed Student Loan (GSL) programs.

(2) The regulations also cover the verification by institutions of information submitted under the GSL Program by applicants whose adjusted gross family income is $30,000 or less.

(b) *Applicant responsibility.* If the Secretary or the institution requests documents or informaton from an applicant under this subpart, the applicant must provide the specified documents or information.

M. *Part*--The major numeric identifier of the regulation.
Example: Part 668
Also provides an outline of the sections and the subsections with titles.

N. *Subpart*--A letter designation of the applicable subpart.
Example: Subpart E

O. *Section*--Numerical identifier and title of the section.
Examples:
- 668.51--General
- 668.53--Policies and Procedures

(c) *Foreign schools.* The Secretary exempts from the provisions of this subpart institutions participating in the GSL Program that are not located in a State.

(20 U.S.C. 1094) ← (P)

**§ 668.52 Definitions.**

The following definitions apply to this subpart:

"Approved need analysis system" means a need analysis system which the Secretary has approved for an award year for determining an EFC under the campus-based programs.

"Comparable State income tax return" means a State income tax return which requires the filer to provide the adjusted gross income and the amount of U.S. income tax paid as reported on the U.S. income tax return.

"Edits" means a set of preestablished factors for identifying—

(a) Student aid applications that may contain incorrect, missing, illogical, or inconsistent information; and

(b) Randomly selected student aid applications.

"Expected family contribution (EFC)" means the amount an applicant and his or her spouse and family are expected to contribute toward the applicant's cost of attendance.

"GSL Needs Test Tables" means the tables in Appendix B to 34 CFR Part 682 used to calculate a GSL applicant's EFC.

"Student aid application (application)" means the application which a person submits to have his or her EFC determined under the Pell Grant, campus-based, or GSL programs.

(20 U.S.C. 1094) (Q)

**§ 668.53 Policies and procedures.**

(a)(1) An institution shall establish and use written policies and procedures for verifying information contained in an application to have an EFC calculated in accordance with the provisions of this subpart. These policies and procedures must include—

(i) The time period within which the applicant shall provide the documentation;

(ii) The consequences of the failure to provide the required documentation within the specified time period;

(iii) The approved need analysis system the institution uses to recalculate an EFC;

(iv) The method by which the institution notifies the applicant of the results of verification;

(v) The procedures the institution requires an applicant to follow to correct application information;

* * * * *

P. Authority--References the section of the law (U.S. Code) which provides authority for the specific section of the regulation.
Example: (20 U.S.C. 1094) for 668.51

Q. Explanatory Subsections--Subsections which provide detailed information for a section. See the section first, then the subsection.
Example: (a)(1)(i)

DEPARTMENT OF EDUCATION

34 CFR Parts 668 and 690

**Student Assistance General Provisions and Pell Grant Program; Verification of Application Information**

AGENCY: Department of Education. (R)

ACTION: Final regulations.

SUMMARY: The Secretary of Education amends the Student Assistance General Provisions regulations, 34 CFR Part 668, by adding a new Subpart E to implement for the 1986–87 award year an integrated system for the verification of student aid application information reported by applicants when they apply to have their expected family contribution calculated for the Pell Grant Program, the campus-based programs (National Direct Student Loan (NDSL), College Work-Study (CWS), Supplemental Educational Opportunity Grant (SEOG)), and the Guaranteed Student Loan (GSL) Program. The Secretary is issuing these regulations to reduce high error rates in data reported by applicants and, thus, to assure, to the maximum extent possible, that eligible applicants receive the correct amount of student financial assistance.

The Secretary is also revoking §§ 690.14(b) and 690.77 of the Pell Grant Program regulations with regard to Pell Grant applications, beginning with applications submitted for the 1986–87 award year. These sections are being revoked because the provisions of Subpart E of Part 668 supersede them.

EFFECTIVE DATE: These regulations become effective either 45 days after publication in the Federal Register or later if Congress takes certain adjournments. If you want to know the effective date of these regulations, call or write the Department of Education contact person. (S)

Sections 668.51, 668.52, 668.53, (other than §§ 668.53(a)(5)), 668.54, 668.55, 668.56, and 668.57 shall apply to applications for student financial assistance under the Pell Grant, campus-based, and GSL programs starting with applications for the 1986–87 award year. Similarly, §§ 690.14(b) and 690.77 are revoked with regard to applications for the Pell Grant Program starting with the 1986–87 award year. Sections 690.14(b) and 690.77 will continue to apply to Pell Grant Program applications submitted for the 1985–86 and previous award years.

* * * * *

federal register

Friday
March 14, 1986

Part II

# Department of Education

34 CFR Parts 668 and 690
Student Assistance General Provisions and Pell Grant Program; Verification of Application Information; Final Regulations

This "Final Regulation" is for illustrative purposes only. New verification regulations for the 1988-89 Award Year were published in 34 CFR 484 on May 19, 1987.

*Format of a Final Regulation*

The final regulation includes the date or dates its provisions will take effect and a summary of comments on the NPRM received by ED.

R. Status in the regulatory process

S. Effective Date will appear if these are Final Regulations. The effective date is generally 45 days after publication in the *Federal Register*.

* * * * *

T

**Appendix—Summary of Comments and Responses**

[Editorial Note: This appendix will not appear in the Code of Federal Regulations.]

*Section 668.51 General.*

*Comment:* Several commenters expressed confusion over the treatment of the State Student Incentive Grant Program (SSIG) because the preamble to the NPRM states that the SSIG Program is not included under the proposed regulations, but institutions may be required to consider verified data in awarding the applicant's SSIG grant. Some commenters suggested that the SSIG Program should be completely excluded from the final regulations, or that the final regulations should specify that institutions which do not determine SSIG recipients or SSIG award levels are not required to verify the data which resulted in the SSIG award.

*Response:* No change has been made. The SSIG Program is not covered by these regulations. However, if an institution calculates an applicant's SSIG award and information it discovers by verifying that applicant's application under Subpart E of Part 668 is relevant to the amount of the SSIG award, the institution, under § 668.16(f), must take that discovered information into account in its calculation of the SSIG award.

U

*Comment:* Several commenters disagreed with the Secretary's proposal in § 668.51(c) to exempt foreign schools participating in the GSL Program from the verification requirements. These commenters argued that the requirements should be applied consistently to all participants.

*Response:* No change has been made. These institutions generally do not have the requisite knowledge of need analysis procedures and U.S. tax laws needed to carry out the verification procedures.

* * * * *

T. Summary of comments received regarding the NPRM

U. Response from the Secretary of Education to comments received on a proposed regulation

## SUMMARY

This module has discussed three major elements in student financial aid: legislation, budget and appropriations, and regulations. Regardless of the size of your institution, you should have a fundamental understanding of the mechanics of the legislative and budgetary processes. Your president or chief executive officer will look to you for leadership and guidance in this area, especially with regard to student financial aid programs.

Through this understanding of the behind-the-scenes activity, you can advise your institution when proposed legislation may affect your institution and your students, and when the appropriation process may affect the schedule for receipt of funds by your institution.

Finally, the effective day-to-day administration of student aid relies on your ability to read, understand, interpret, and implement program regulations. This is the basis for development of institutional policies and procedures that safeguard federal funds and your institution's participation in student financial aid programs.

## POST-TEST

1. An authorization bill is the final congressional step in funding a program. True or False?

2. The primary opportunity for the professional student aid community and general public to influence both legislative activity and regulatory development is when Congressional committee hearings are held. True or False?

3. New regulations appear in the *Federal Register* only when Congress passes a law. True or False?

4. "Forward funding" is a term that refers to: (circle all that apply)

   a. a 5-year allocation of Title IV funds given to institutions by ED for current and future year student aid awards
   b. the appropriation of Title IV funds prior to the award year in which they will be disbursed
   c. the appropriation process in effect for all Title IV programs except the Stafford Loan program
   d. the institution's transfer of student aid funds from the current award year to the upcoming award year

5. How often are Title IV financial aid programs reauthorized?

6. What are the starting and ending dates for the financial aid award year and the federal fiscal year?

7. When is the financial aid administrator required to establish administrative procedures to comply with requirements of new legislation? (circle all that apply)

   a. on the date when the law takes effect
   b. generally within 45 days after final regulations, written as a result of the legislation, are printed in the *Federal Register*
   c. when the Department's regional office notifies the aid administrator, or when the Director, OSFA, sends a "Dear Colleague" letter to the administrator
   d. when the particular provision of law goes into effect as provided by the statute itself

## ANSWERS

1. False. An authorization bill sets the ceiling amount for appropriations for a program. An appropriation bill must then be passed, to set aside an actual dollar amount--not necessarily up to the authorized amount. (For more information, see Section 3.7.)

2. False. The legislative and regulatory processes each have specific times for public comment and reaction. During the legislative process, House and Senate subcommittees responsible for educational matters request testimony from potentially affected parties. This gives institutional representatives, including financial aid administrators and professional and educational associations, the opportunity to influence the legislation. A Notice of Proposed Rulemaking (NPRM), which proposes regulations and is published in the *Federal Register*, offers an opportunity for comment during the development of regulations. An address for comments and a telephone contact for further information are provided. For most regulations, the comment period is 45 or 60 days. (3.2, 3.8, 3.9)

3. False. Regulations may be written in response to various situations: (1) passage of new or reauthorized legislation, (2) changes in departmental policy, and (3) when administrative problem areas require new or revised regulation. (3.8)

4. b. and c. "Forward funding" is a term used to describe the process of appropriating funds prior to the award year in which they will be disbursed. For example, funds appropriated in the FY88 (October 1, 1987 to September 30, 1988) budget process during fall 1987 cannot be disbursed as student award payments until July 1, 1988, the start of the 1988-89 award year. (3.7)

5. Reauthorization of Title IV programs is scheduled to occur every 4 to 5 years. (3.6)

6. The financial aid award year is July 1 of a given year to June 30 of the next year. For example, the 1988-89 award year is July 1, 1988 to June 30, 1989. The federal fiscal year (FY) is October 1 of a given year to September 30 of the next year. For example, FY89 is October 1, 1988 to September 30, 1989. The financial aid award year and the federal fiscal year are not concurrent. A financial aid award year overlaps two federal fiscal years. Example: The financial aid award year July 1, 1988-June 30, 1989 overlaps two federal fiscal years. It begins in FY88 (October 1987-September 1988) and ends in FY89 (October 1988-September 1989). (3.7)

7. a., b., and d. The law becomes effective when the President signs it or upon a specific date stated in the law. In some cases, the law directs the Secretary of Education to draft regulations for specific items contained in the law. Under these circumstances, financial aid administrators are usually required to comply with these regulated aspects of the law 45 days following the publication of final regulations in the *Federal Register*. (3.5)

Questions: 7 Your Score: Percentage:

| | |
|---|---|
| **appropriation** | A legislative act authorizing the expenditure of a specific amount of public funds for a specific purpose. The dollar amount appropriated may not necessarily be the total amount permissible under the authorizing statute. An appropriation bill originates in the House of Representatives. General appropriations acts are supposed to be approved by both houses of Congress by the seventh day after the Labor Day before the start of the fiscal year to which they apply, but this does not always happen. In addition to general appropriations acts, there are two specialized types. (See **continuing resolution** and **supplemental appropriations.**) |
| **authorization (legislative)** | A legislative act that establishes a program, specifies its general purpose and conduct, and, unless open-ended, sets a ceiling for the dollar amount that can be used to finance it. Must be enacted (passed by Congress and signed by the President) before an appropriation for the program is passed. |
| **bill** | Most proposed legislative measures before Congress are in the form of bills and are designated as HR (House of Representatives) or S (Senate), according to the house in which they originate, and by a number assigned in the order in which they were introduced, starting from the beginning of each 2-year congressional term. Public Bills become Public Laws, if approved by the Congress and signed by the President. |
| **budget committees** | The House and Senate committees that prepare budget resolutions which determine the level of funding for all federal programs. Each respective committee holds hearings and reviews projections from Executive Departments, Office of Management and Budget, and Congressional Budget Office. |
| **budget resolution (as in First and Second Budget Resolution)** | The measure which determines the federal budget in total. The First Budget Resolution, generally passed in April or May, sets ceilings or spending targets for all federal programs. Its figures are not binding. The Second Budget Resolution, generally passed in August or September, sets the limits of federal budget expenditures for the upcoming fiscal year, which starts on October 1. |
| **Code of Federal Regulations (CFR)** | The compilation of all federal regulations and rules of procedure. Regulations relating to Title IV student financial aid appear as 34 CFR. |
| **comment period** | A period, usually of 45 or 60 days, from the first publication of a Notice of Proposed Rulemaking in the *Federal Register*. During this time, interested parties are invited to submit comments regarding the proposed regulations. |

| | |
|---|---|
| **Comments and Responses** | A section of a final regulation package published in the *Federal Register* which summarizes comments received from the public regarding proposed regulations. The responses of the Secretary of Education to these comments are also included. (This section may be part of the Preamble, which introduces the final regulations and gives the effective dates and a summary of major provisions of the regulations.) |
| **conference committee** | Members of the House of Representatives and the Senate who meet to reconcile differences between the two houses' versions of a bill. Conference committee members are appointed by the Speaker of the House and the President of the Senate (Vice-President of the United States). |
| **continuing resolution** | A joint agreement to continue appropriations for specified government agencies at rates generally based on their previous fiscal year's appropriation level, when Congress has not yet enacted an appropriation act for those agencies for the fiscal year in effect. It must pass both houses and be signed by the President. |
| **Federal Register** | The government publication, published each weekday (except federal holidays), which lists regulations, regulatory amendments, notices, and proposed regulatory changes for all federal executive agencies. The Department of Education sends reprints of excerpts from the *Federal Register* pertaining to student financial aid to all schools participating in Title IV programs. |
| **Final Regulations** | Rules published in the *Federal Register*. Final Regulations, which have the force of law, usually take effect 45 days after the date of publication. |
| **forward funding** | The appropriation of funds prior to the award year in which they will be disbursed. In Title IV programs, forward funding allows participating institutions to process applications and make awards based on an established funding level. |
| **Interim Final Regulations** | Regulations, published in the *Federal Register*, which have the effect of law when published. Interim Final Regulations may appear when there is need for quick action in response to passage of new legislation. In addition, an NPRM may elicit comments which raise further policy questions. In this situation, the Secretary may issue Interim Final Regulations, pending further policy review. |
| **legislative amendment** | An alteration (revision or change) in a legislative measure, made by formally adding, deleting, or rephrasing the text of the law. |
| **Notice of Proposed Rulemaking (NPRM)** | Notification in the *Federal Register* of a new regulation proposed by a governmental agency such as the Department of Education. This Notice begins the comment period which is usually 45 or 60 days, but may range from 30 to 120 days. |

| | |
|---|---|
| **reauthorization** | The legislative process, generally carried on every 4 to 5 years in the case of the Higher Education Act, whereby Congress reviews and either renews, terminates, or amends existing programs. |
| **rescission** | The act of repealing a previous appropriation. |
| **supplemental appropriations** | Appropriation measures passed by Congress and signed by the President after the regular appropriation to meet unanticipated expenses, to fund new authorities, or to expand existing funding. |
| **U.S. Code (U.S.C.)** | The federal government's compilation of public laws. |

## ACRONYMS

| | |
|---|---|
| **CBO** | Congressional Budget Office. |
| **CFR** | Code of Federal Regulations. |
| **FISAP** | The Fiscal Operations Report and Application to Participate in the Perkins Loan, SEOG, and CWS programs. |
| **FY** | Fiscal year; a period of 12 months. |
| **NPRM** | Notice of proposed rulemaking; announcement in the *Federal Register* of proposed new regulations, with explanation and specified period during which public comment is invited. |
| **OSFA** | Office of Student Financial Assistance (in the Department of Education). |

## KEY RESOURCES

1. U.S. Department of Education, Office of Student Financial Assistance, *Federal Register*, Washington, D.C., OSFA/ED.

   Reprints from the *Federal Register* are mailed by the Office of Student Financial Assistance to all institutions participating in any Title IV programs. A copy is mailed to the chief executive officer, the financial aid administrator, and the chief fiscal officer. For additional copies, contact the Federal Student Information Center of the Department of Education at 800-333-4636.

2. U.S. Department of Education, Office of Student Financial Assistance, *Current Title IV Regulations*, Washington, D.C., OSFA/ED, 1988.

   A compendium of federal regulations covering Title IV student assistance programs.

## BIBLIOGRAPHY

1. National Association of Student Financial Aid Administrators, *NASFAA Annotated Bibliography of Literature on Student Financial Aid, Volume 1: 1977-85; Volume 2: 1986-87*, Washington, D.C., NASFAA, 1987, 1988.

The references listed can be obtained by contacting the publishing organization.
For U.S. Department of Education addresses, see the inside back cover or the Support Booklet.
For all other addresses, see the Support Booklet.

## APPENDIX

## CURRENT REGULATIONS FOR TITLE IV STUDENT ASSISTANCE PROGRAMS AS OF JUNE 1988

| Part | |
|---|---|
| 99 | Family Educational Rights and Privacy<br>April 11, 1988* |
| 600 | Institutional Eligibility Under the Higher Education Act of 1965, as amended<br>April 5, 1988* |
| 668 | Student Assistance General Provisions |
| | Combines– |
| | Final Regulations<br>June 28, 1985* |
| | Final Regulations<br>March 14, 1986* |
| | Final Regulations<br>December 1, 1986* |
| | Final Regulations<br>December 1, 1987* |
| 653 | Paul Douglas Teacher Scholarship Program<br>November 25, 1987* |
| 673 | Income Contingent Loan Program |
| | Combines– |
| | Income Contingent Loan Final Regulations<br>May 12, 1987* |
| | Income Contingent Loan Final Regulations<br>August 5, 1987* |
| 674 | Perkins Loan Program |
| 675 | College Work-Study Program |
| 676 | Supplemental Educational Opportunity Grant Program |
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| | Perkins Loan Program Final Regulations<br>November 30, 1987* |
| | Campus-based Final Regulations<br>December 1, 1987* |

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| 682 | Guaranteed Student Loan (recently renamed Stafford Loan) Program |
| | Guaranteed Student Loan and PLUS Program Final Regulations<br>November 10, 1986* |
| 690 | Pell Grant Program |
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| | Final Regulations<br>March 15, 1985* |
| | Final Regulations<br>November 19, 1986* |
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